

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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XL SPECIALTY INSURANCE COMPANY,
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Plaintiff,
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vs.
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OTTO NAUMANN, LTD.,
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Defendant and
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Third-Party Plaintiff,
:
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vs.
:
JULIUS LOWY FRAME & RESOTRING CO. INC.,
:
:
Third-Party Defendant.
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Docket No. 12-CV-8224 (DAB)
(SN)

NOTICE OF MOTION

PLEASE TAKE NOTICE that upon the annexed Memorandum of Law in support of Third-Party Defendant Julius Lowy Frame & Restoring Co. Inc.'s Motion to Dismiss the Third-Party Complaint, Third-Party Defendant Julius Lowy Frame & Restoring Co. Inc. ("Lowy"), by its undersigned counsel, will move before the Honorable Deborah A. Batts, at the Daniel Patrick Moynihan United States Court House, 500 Pearl Street, New York, New York 10007, on such a date as the Court will determine, for an order, pursuant to Federal Rule of Civil Procedure 12(b)(6), dismissing with prejudice the Third-Party Complaint against Lowy in the above-captioned action, and for such other relief as the Court may grant.

PLEASE TAKE FURTHER NOTICE that opposing papers, if any, must be served and filed by May 15, 2013. Reply papers, if any, must be served and filed by May 22, 2013.

PLEASE TAKE FURTHER NOTICE that oral argument is respectfully requested on the motion.

Dated: New York, New York
May 1, 2013

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